

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Michael John Bui,

Case No. 21-CV-1156 (SRN/DTS)

Plaintiff,

v.

ORDER

United States of America; Barack Obama,
The President of the United States; Joe
Biden, The President of the United States;
MN Department of Employment and
Economic Development; Hospital Lines
Services; and Interpol General Secretariat,

Defendants.

SUSAN RICHARD NELSON, United States District Judge

Plaintiff Michael John Bui has applied for *in forma pauperis* (“IFP”) status in this proceeding. *See* Application to Proceed in District Court without Prepaying Fees or Costs [Doc. No. 2]. After reviewing the IFP application, the Court concludes that Bui qualifies financially for IFP status. That said, in deciding whether to grant or deny the IFP application, the Court must also determine whether “the action or appeal — (i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief.” 28 U.S.C. § 1915(e)(2)(B).

In reviewing whether a complaint states a claim on which relief may be granted, this Court must accept as true all of the factual allegations in the complaint and draw all

reasonable inferences in the plaintiff's favor. *Aten v. Scottsdale Ins. Co.*, 511 F.3d 818, 820 (8th Cir. 2008). Although the factual allegations in the complaint need not be detailed, they must be sufficient to "raise a right to relief above the speculative level" *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007). The complaint must "state a claim to relief that is plausible on its face." *Id.* at 570. In assessing the sufficiency of the complaint, the court may disregard legal conclusions that are couched as factual allegations. *See Ashcroft v. Iqbal*, 556 U.S. 662, 679 (2009). Pro se complaints are to be construed liberally, but they still must allege sufficient facts to support the claims advanced. *See Stone v. Harry*, 364 F.3d 912, 914 (8th Cir. 2004).

Bui's pleading is, frankly, incomprehensible. To the extent that the attachments to Bui's pleading shine any light regarding the claims that Bui intends to raise in this proceeding, it appears that Bui may believe that he is entitled to additional unemployment benefits from the State of Minnesota. *See generally* Attachment [ECF No. 1-1]. But nowhere in the complaint — at least so far as the Court can discern — does Bui identify the federal-law basis for his claims or provide plausible factual allegations that, if proved true, would demonstrate that any of the defendants named to this action violated the law.

Accordingly, this matter will be dismissed without prejudice and Bui's IFP application will be denied.

ORDER

Based on the foregoing, and on all of the files, records, and proceedings herein, IT IS HEREBY ORDERED THAT:

1. This matter be DISMISSED WITHOUT PREJUDICE pursuant to 28 U.S.C. § 1915(e)(2)(B).
2. The application to proceed *in forma pauperis* of plaintiff Michael John Bui [Doc. No. 2] be DENIED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: May 7, 2021

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge